

Remarks:

Reconsideration of the application is requested.

Claims 1-17 remain in the application. Claims 1 and 15-17 have been amended. Claim 8 has been withdrawn from consideration.

In item 2 under the section entitled "Drawings" on page 2 of the above-identified Office action, the drawings have been objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims.

More specifically, the Examiner has stated that mounting supports must be shown or the feature(s) cancelled from the claim(s).

Mounting supports as claimed in claim 9 are shown in Figs. 3 and 4 by reference numerals "43, 44, 54 and 55" and are described on page 18, lines 15-19 and page 19, lines 3-5 of the specification.

In item 2 under the section entitled "Claim Rejections - 35 USC § 112" on pages 2-3 of the above-identified Office action, claims 6, 8 and 9 have been rejected as being indefinite under 35 U.S.C. § 112 second paragraph.

More specifically, the Examiner has stated that it is not clear what "a delta-folding mode" in claim 6 encompasses. A person skilled in the art would know that a delta fold is special type of fold. The delta fold is also explained, for instance, on page 15, lines 12-17 of the specification.

The Examiner has also stated that it is not clear what "the performing strips are mounted on further perforating bars" in claim 8 encompasses. Claim 8 indeed refers to the non-elected embodiment shown in Fig. 4 and is therefore withdrawn from consideration.

The Examiner has further stated that it is not clear what "mounting supports" in claim 9 encompasses. "Mounting supports" are described on page 18, lines 15-19 and page 19, lines 3-5 of the specification.

The Examiner has additionally stated that it is not clear what "a stationary perforating cylinder" in claim 15 encompasses. The language "a stationary perforating cylinder" has been changed to "a stationarily mounted perforating cylinder" to more clearly define the invention. "A stationarily mounted perforating cylinder" is described, for instance, on page 10, lines 7-13 of the specification and is shown in the drawings with reference numeral "3".

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic and/or clarificatory reasons. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claims for any reason related to the statutory requirements for a patent.

In item 4 on page 3 of the above-mentioned Office action, claims 1-7, 9-16 and 17 have been rejected as being anticipated by Behmel et al. (German Application Publication DE 43 27 466 A1) under 35 U.S.C. § 102(b).

The rejection has been noted and claims 1, 16 and 17 have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 2, line 23 to page 3, line 2; page 11, lines 9-12; page 10, lines 7-12; and page 11, lines 14-22 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1, 16 and 17 call for, inter alia:

at least one perforating bar disposed coaxially with at least one of said perforating cylinders, said perforating tools and said perforating strips being accommodated on said at least one perforating bar, said at least one perforating bar being adjustable relative to a periphery of said perforating cylinders, at least one of said perforating cylinders being adjustable in relation to said perforating nip relative to at least another of said perforating cylinders.

Behmel et al. do not disclose the feature that a perforating cylinder is adjustable in relation to the perforating nip relative to the cooperating perforating cylinder. The advantage of the invention of the instant application lies in that there is a circumferential compensation for the perforation precision with respect to the fold position and there is a nip or gap change for setting the perforation depth (see, for instance, page 9, lines 3-5 of the specification).

Clearly, Behmel et al. do not show "said at least one perforating bar being adjustable relative to a periphery of said perforating cylinders, at least one of said perforating cylinders being adjustable in relation to said perforating nip relative to at least another of said perforating cylinders", as recited in claims 1, 16 and 17 of the instant application.

Claims 1, 16 and 17 are, therefore, believed to be patentable over Behmel et al. and since all of the dependent claims are

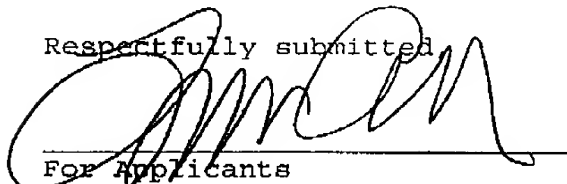
ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-7 and 9-17 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted



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Marked-Up Version of the Amended Claims:

Claim 1(amended). A device for perforating material webs
[by], comprising:

perforating cylinders defining a perforation nip therebetween;

perforating tools accommodated on said perforating cylinders
and capable of producing perforations on copies in an exactly
correct position with respect to cross-folds formed in the
copies, the perforation position being adjustable during
machine operation[, the];

perforating strips disposed on said perforating cylinders,
said perforating tools being cooperatively related with
[associated] respective one of said perforating strips for
producing transverse or cross-perforations[, comprising] and
being adjustable in the correct position relative to the
cross-folds; and

at least one perforating bar disposed coaxially with at least
one of [the] said perforating cylinders, [the] said
perforating tools and [the] said perforating strips being
accommodated on said at least one [of said] perforating [bars]
bar, [the] said at least one perforating bar being adjustable
relative to a periphery of said perforating cylinders, at

least one of [the] said perforating cylinders being adjustable in relation to said perforating nip relative to at least another of [the] said perforating cylinders.

Claim 15(amended). The perforating device according to claim 1, including a [stationary] stationarily mounted perforating cylinder and an adjustable perforating cylinder, a drive and a transmission element for the adjustable perforating cylinder, and an articulated connection between said drive for the adjustable perforating cylinder and said transmission element therefor.

Claim 16(amended). A folder having a device for perforating material webs [by], the device comprising:

perforating cylinders defining a perforation nip therebetween;

perforating tools accommodated on said perforating cylinders and capable of producing perforations on copies in an exactly correct position with respect to cross-folds formed in the copies, the perforation position being adjustable during machine operation[, the];

perforating strips disposed on said perforating cylinders,
said perforating tools being cooperatively related with
[associated] respective one of said perforating strips for

producing transverse or cross-perforations[, comprising] and being adjustable in the correct position relative to the cross-folds; and

at least one perforating bar disposed coaxially with at least one of [the] said perforating cylinders, [the] said perforating tools and [the] said perforating strips being accommodated on said at least one [of said] perforating [bars] bar, [the] said at least one perforating bar being adjustable relative to a periphery of said perforating cylinders, at least one of [the] said perforating cylinders being adjustable in relation to said perforating nip relative to at least another of [the] said perforating cylinders.

Claim 17(amended). A pin-less folder having a device for perforating material webs [by], the device comprising:

perforating cylinders defining a perforation nip therebetween;

perforating tools accommodated on said perforating cylinders and capable of producing perforations on copies in an exactly correct position with respect to cross-folds formed in the copies, the perforation position being adjustable during machine operation[, the];

perforating strips disposed on said perforating cylinders,
said perforating tools being cooperatively related with
[associated] respective one of said perforating strips for
producing transverse or cross-perforations[, comprising] and
being adjustable in the correct position relative to the
cross-folds; and

at least one perforating bar disposed coaxially with at least
one of [the] said perforating cylinders, [the] said
perforating tools and [the] said perforating strips being
accommodated on said at least one [of said] perforating [bars]
bar, [the] said at least one perforating bar being adjustable
relative to a periphery of said perforating cylinders, at
least one of [the] said perforating cylinders being adjustable
in relation to said perforating nip relative to at least
another of [the] said perforating cylinders.